

APPLICATION GRANTED

SO ORDERED

VERNON S. BRODERICK

U.S.D.J. 2/9/2023



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

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February 8, 2023

VIA ECF

Hon. Vernon S. Broderick
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *C.K. obo A.Y., et al. v. NYC Department of Education, et al.*,
21-CV-7956 (VSB)(KNF)

Dear Judge Broderick:

I am the Assistant Corporation Counsel assigned to represent Defendants New York City Department of Education, New York City Board of Education, and former Department of Education Chancellor Meisha Porter in the above-referenced action. I write jointly with Plaintiffs' counsel, pursuant to the Court's Order dated December 20, 2022 (Dkt. No. 38), to update the Court on the status of this case.

The parties have reached a settlement in principle resolving the implementation and compensatory education claims of both Plaintiffs C.K. and A.N. The parties have drafted Stipulations of Settlement that memorialize the terms concerning services. Additional time, however, is needed to address Plaintiffs' claim for attorney's fees. Plaintiffs' counsel anticipates providing revised billing records for both Plaintiffs shortly. Upon receipt, the undersigned will need time to review and then obtain settlement authority, after which the parties will engage in negotiations. We expect that the case will be fully resolved sometime thereafter, without the need for the Court's intervention and without the need for discovery, and, at this time, do not believe that a referral to the assigned Magistrate Judge for settlement will be productive.

Accordingly, given the parties' meaningful progress in settlement discussions, the parties respectfully request that the Court grant a 60-day stay of discovery while the parties continue to resolve the remaining fees issue. Further, the parties respectfully propose to provide another joint status letter, or to file proposed Stipulations of Settlement, in approximately 45 days, or by March 27, 2023.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Min Kyung Cho
Assistant Corporation Counsel

cc: Erin O'Connor, Of Counsel
Counsel for Plaintiffs
(via ECF)